

REGULATION 5.12 Standards of Performance for New or Modified Processes or Process Equipment Emitting Toxic Air Pollutants

**Air Pollution Control District of Jefferson County
Jefferson County, Kentucky**

Relates To: KRS Chapter 77 Air Pollution Control

Pursuant To: KRS Chapter 77 Air Pollution Control

Necessity and Function: KRS 77.180 authorizes the Air Pollution Control Board to adopt and enforce all orders, rules, and regulations necessary or proper to accomplish the purposes of KRS Chapter 77. This regulation provides for the control of toxic air pollutant emissions from new or modified processes or process equipment.

SECTION 1 Kentucky References

Except as provided in Section 5, Kentucky Regulation 401 KAR 63:022 (11-11-86) for control of toxic air pollutant emissions from new or modified processes or process equipment is hereby adopted and incorporated by reference. It is not the intent of this regulation to allow the use of taller stacks to effect compliance by application of the correction factor in Appendix C. However, in certain situations in which the requirement to control cannot be justified, the District may permit such usage. Further, in no event shall application of this regulation result in emissions of any pollutant which would exceed the emissions allowed by any applicable standard under Part 5, 6, or 7.

SECTION 2 Summary and Applicability

This regulation controls emissions of toxic air pollutants from new or modified processes or process equipment, that were constructed or modified during the time period from November 11, 1986, until July 1, 2005, by specifying either an allowable emissions limit or by requiring the application of best available control technology.

SECTION 3 General Definition

In 401 KAR 63:022 (11-11-86), "Cabinet" shall be read as "District."

SECTION 4 Availability

Copies of 401 KAR 63:022 (11-11-86) are available from:

Air Pollution Control District
850 Barret Avenue
Louisville, KY 40204-1745

SECTION 5 Adjusted Significant Level Determination

When determining the adjusted significant levels of individual pollutants from a new or modified process or process equipment, the height of release (H) used to enter the table in Appendix C shall be a weighted average derived by dividing the sum of the products of emission rates and heights of release of the individual points of release of the new or modified process or process equipment by the total emission rate of a pollutant from all points of release of the new or modified process or process equipment. If the weighted height of release falls between two values in the table in Appendix C, the lesser value shall be used.

SECTION 6 Savings Clause

Any emission standard established pursuant to this regulation shall remain in effect until replaced with an emission standard established pursuant to Regulation 5.21 *Environmental Acceptability for Toxic Air Contaminants*.

Adopted v1/12-17-86; effective 12-17-86; amended v2/5-20-98, v3/6-21-05 effective 7-1-05.